

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

GEINLY DIAZ-DIAZ,

Defendant.

CASE NO. CR19-0187-JCC

ORDER
[FILED UNDER SEAL]

This matter comes before the Court on Defendant Geinly Diaz-Diaz's motion to seal his sentencing memorandum and attachments (Dkt. No. 113), and the Government's motions to seal its sentencing memorandum and its response to Defendant's sentencing memorandum (Dkt. Nos. 109, 115). Having thoroughly considered the parties' motions and the relevant record, the Court hereby GRANTS all three motions (Dkt. Nos. 109, 113, 115).

"[T]here is a strong presumption of public access to [the Court's] files." W.D. Wash. Local Civ. R. 5(g)(3); *Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 597 (1978). To overcome this presumption, there must be a "compelling reason" for sealing sufficient to outweigh the public's interest in disclosure. *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1101 (9th Cir. 2016) (applying the "compelling reason" test to motions to seal documents "more than tangentially related to the merits of a case").

Defendant seeks to maintain under seal his sentencing memorandum. The sentencing

1 memorandum contains highly personal and sensitive information about Defendant, in which the
2 public has minimal interest. On this basis, the Court finds there is a compelling reason to seal the
3 sentencing memorandum that outweighs the public's interest in its disclosure.

4 The Government plans to file a redacted version of its sentencing memorandum, but
5 requests that the unredacted version remain sealed. (Dkt. Nos. 110 at 6, 109 at 2.) The
6 Government also seeks to maintain under its response to Defendant's sentencing memorandum.
7 (Dkt. No. 115 at 2.) These documents contain the same kind of sensitive and confidential
8 material about the Defendant as Defendant's sentencing memorandum does.

9 Accordingly, the Court GRANTS Defendant's motion to seal (Dkt. No. 113) and the
10 Government's two motions to seal (Dkt. Nos. 109, 115). The Clerk is DIRECTED to maintain
11 under seal the documents filed at Docket Numbers 110, 114, and 116, and their respective
12 attachments, until further order of the Court. The Government is ORDERED to file a redacted
13 sentencing memorandum within seven days of this order.

14 DATED this 8th day of December 2021.

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19 John C. Coughenour
20 UNITED STATES DISTRICT JUDGE
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